# **Property Site Assessment for:**

Dennis Lord
MDL, LLC
10,000sf Office/Warehouse Facility
114 NE 28<sup>th</sup> Street
Grand Prairie, Texas 75050
Dallas County
April 1, 2002

PINNACLE SCIENCES

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## Introduction (1.0)

#### Executive Summary (1.1)

Pinnacle Sciences, Inc. was contracted by Dennis Lord of MDL, LLC (herein referred to as "Client"), to conduct a Phase I Environmental Site Assessment on 10,000sf Office/Warehouse Facility located at 114 NE 28th Street, Grand Prairie, Texas 75050 in Dallas County (herein referred to as "Subject Site"). Pinnacle received written authorization on April 1, 2002 to perform the Phase I Site Assessment. The assessment was performed in conformance with the scope and limitations of ASTM practice E1527-00, Phase I Site Assessment.

In conducting the Phase I Site Assessment of the subject site we reviewed the following information when available and reasonably ascertainable: state, local, and federal documents to provide a site description, reviewed information on the subject site and surrounding sites using federal and state databases to determine if there were any hazardous environmental waste generators, performed a physical on site investigation of the subject site and adjoining sites to identify any recognized environmental conditions in connection with the subject site, interviewed owners, owner's agents, tenants, state and federal government officials to determine if there were any environmental hazards in connection with the subject site, utilized ownership history, historical maps, aerial photographs, city directories, tax and zoning data, USGS 7.5 minute topographical map, material safety data sheets (MSDS), flood plain maps, and other sources to help identify any recognized environmental conditions in connection with the subject site.

After review of the available information referenced above we have concluded that the subject site in accordance with the scope and limitations of ASTM Practice E1527-00 has revealed no obvious evidence of recognized environmental conditions except for the following:

# Environmental Concerns

The subject site operated as a metal works facility dating back to the 1950's. Visible staining was observed within the subject site warehouse at the time of the on-site inspection.

Due to the age of the facility, it's previous use a metal works facility, and the visible staining observed throughout the subject site, a concern about the environmental condition of the subject site is warranted.

Within the main warehouse facility suspect ACM was observed; i.e. ductwork insulation, floor tile, and spray-on thermal insulation. Without an Asbestos Survey, utilizing physical sampling of suspected ACM in accordance with AHERA protocol and Texas Department of Health regulations; Pinnacle does not warrant or guarantee that ACM does not exist on the subject site.

# Recommendations

A subsurface investigation of the subject site is recommended to determine if metals have been released into the subsurface of the subject site.

Prior to any renovation and/or demolition of the subject site an Asbestos Survey, utilizing physical sampling of suspected ACM in accordance with AHERA protocol and Texas Department of Health regulation is required.

#### Purpose (1.2)

#### **ASTM 1527-00**

#### Standard Practice for Phase I Environmental Site Assessment Process

#### Purpose

The purpose of the Phase I Site Assessment is: To identify existing or potential Recognized Environmental Conditions (as defined by ASTM Standard E-1527-00) affecting the subject site that:

- 1) Constitute or result in a material violation or a potential material violation of any applicable environmental law;
- 2) Impose any material constraints on the operation of the subject site or require a material change in the use thereof;
- 3) Require cleanup, remedial action or other response with respect to Hazardous Substances or Petroleum Products on or affecting the subject site under any applicable environmental law;
- 4) May affect the value of the subject site, and;
- 5) May require specific actions to be performed with regard to such conditions and circumstances.

# Purpose, continued

The information contained in the ESA report will be used by Client to:

- Evaluate its legal and financial liabilities for transactions related to foreclosure, purchase, sale, loan origination, loan workout, or seller financing,
- 2) Evaluate the subject site's overall development potential, the associated market value and the impact of applicable laws that restrict financial and other types of assistance for the future development of the subject site, and/or;
- 3) Determine whether specific actions are required to be performed prior to the foreclosure, purchase sale, loan origination, loan workout or seller financing of the subject site.

This practice does not include any verification of mechanical, electrical and/or sewer water except for their possible impact of the subject site's environmental condition. Additionally, the practice does not include testing and/or sampling of materials, for example: soil, water, air, and/or building materials.

#### Hazardous Substances

The term "Hazardous Substance" shall mean any substance defined as a hazardous substance pursuant to CERCLA 42 USC § 9601(14), as interpreted by EPA regulations and the courts: "(A) any substance designated pursuant to section 1321(b)(2)(A) of Title 33, (B) any element, compound, mixture solution, or substance designated pursuant to section 9602 of this title, (C) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 USC § 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 USC § 6901 et seq.) has been suspended by Act of Congress), (D) any toxic pollutant listed under section 1317(a) of Title 33, (E) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 USC § 7412), and (F) any imminently hazardous chemical substance or mixture with respect to which the Administrator (of EPA) has taken action pursuant to section 2606 of Title 15. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a Hazardous Substance under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas)."

#### Petroleum Products

The term "Petroleum Products" means: Those substances included within the meaning of the petroleum exclusion to CERCLA, 42 USC § 9601 (14), as interpreted by the courts and EPA, that is petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a Hazardous Substance under Subparagraphs (A) through (F) of 42 USC § 9601 (14), natural gas, natural gas liquids, liquefied natural gas, and synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas). (The word "fraction" refers to certain distillates of crude oil, including gasoline, kerosene, diesel oil, jet fuels, and fuel oil, pursuant to Standard Definitions of Petroleum Statistics).

#### Recognized Environmental Conditions

The term "Recognized Environmental Condition" (REC) means the presence or likely presence of any hazardous substances or petroleum products on a subject site under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the subject site or into the ground, ground water, or surface water of the subject site.

#### Historical Recognized Environmental Conditions

The term "Historical Recognized Environmental Conditions" (HREC) means an environmental condition which in the past would have been considered REC, but which may or may not be considered a REC currently.

#### Documentation

The scope of this practice includes research and reporting requirements that support the user's ability to qualify for the *innocent landowner defense*. As such, sufficient documentation of all sources, records, and resources utilized in conducting the inquiry required by this practice must be provided in the written report.

# Scope of Work (1.3)

In accordance with the scope and limitations of ASTM E1527-00 Phase I Environmental Site Assessment Standards, Pinnacle Sciences used several different informational sources during the investigation period of the subject site that were available and reasonably ascertainable to help determine the likely presence of any hazardous substances and/or petroleum products that indicate an existing release, a past release, and/or a material threat of a release of any hazardous substances and/or petroleum products into structures on the subject site and/or into the ground, groundwater, and/or surface water of the subject site.

Pinnacle Sciences made an effort to investigate the following referenced resources, but not all of the information referenced below was reviewed and/or available for review at the time of inspection of the subject site. Additionally, informational sources consulted below were obtained from sources considered reliable and believed to be true and correct. However, Pinnacle Sciences has made no independent investigation as to such matters and undertakes no responsibility for the accuracy of such items.

#### Informational Sources Consulted by Pinnacle Sciences

# Environmental Data Resources, Inc. (EDR); Updated quarterly, Last update December 29,2000

Search of Federal, State, and Local Environmental Databases:

- NPL, CORRACTS, RCRA-TSD CORRACTS, CERCLIS, NFRAP, RCRA-TSD, SWLF, LUST, UST, AST, ERNS, RCRA-LgGen, RCRA-SmGen, SPILL
- 1) EDR Sanborn Map Report
- 2) Historic Aerial Photo Search

# Appraisal District Information Dallas County Tax Assessors Office

# Ownership History Dallas County Court House Deeds and Records Section

#### Building Permit Information City Development Department

Informational Sources Consulted by Pinnacle Sciences, continued

#### **Environmental Incident Reports**

City Fire Department

# Zoning/Construction/Land Use Records City Planning and Zoning Department

Subject Maps, Plats & Sketches Dallas County Appraisal District

### Environmental Violations/Incident Reports-Compliance Act ivies

Texas Natural Resource Conservation Commission

### Hydrology and Geology of Subject Site

Texas Department of Water Resources and Roadside Geology of Texas

#### Soil Survey of Subject Site

United States Department of Agriculture Soil Conservation Service Soil Survey of Dallas County

#### **FEMA Flood Map Information**

Supplied by the US Army Corps of Engineers

#### EDR - City Directory

City Directory, provided by Environmental Data Resources, Inc.

#### **USGS 7.5 Minute Topographic Map**

United States Department of The Interior Geological Survey

# **Subject Site Information (2.0)**

Subject Site Name and Address (2.1) 10,000sf Office/Warehouse Facility, located at 114 NE 28th Street, Grand Prairie, Texas 75050, in Dallas County.

Legal Description (2.2)

Burbank Gardens Lt 101A ACS 0.4231

Subject Site Description (2.3)

The subject site is comprised of two (2) warehouse facilities. The warehouse facilities area constructed of corrugated steel and steal framework. The foundation is constructed of a concrete slab. The surrounding area within a 1/2-mile radius of the subject site is comprised of single-family housing and mixed commercial/industrial warehousing.

Current Uses of Subject Site (2.4)

Current Uses of The current usage of the subject site is a vacant warehouse facility.

Owner/ Occupant of Subject Site (2.5)

Owner of Subject Site	Occupant of Subject Site
Lilly David B Co. Inc.	None
PO Box 10527	
Wilmington, DE 19850	

Information supplied by county tax office

### Records Review (3.0)

Physical Setting Sources (3.1)

# Topography (3.1.1)

The review of the USGS Topographical Map indicates that the subject site lies at an approximate elevation of about 490 feet above sea level. The subject appears to be level with no apparent slope. The surrounding area within a one mile radius is primarily level with no apparent slope.

Please see Appendix 7.1.5 – USGS 7.5 Minute Topographical Map for more information.

#### Soil (3.1.2)

Soil Component Name: Houston Black

Soil Surface Texture: Clay

Hydrologic Group: Class D - Very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer.

Soil Drainage Class: Moderately well drained. Soils have a layer of low hydraulic conductivity, wet state high in the profile.

**Depth to Shallow Groundwater:** Depth to shallow groundwater is 3 to 6 feet.

Hydric Status: Soil does not meet the requirements for a hydric soil.

Corrosion Potential- Uncoated Steel: High

Depth to Bedrock Min: > 60 inches Depth to Bedrock Max: > 60 inches

Please see Appendix 7.2.4, EDR - Radius Map for more information.

Geology (3.1.3)

Geologic Age Identification		Rock Stratigraphic Unit	
Geologic Code	uK2		Stratified Sequence
Era	Mesozoic	中國語傳統語	經過性的學科學的學學學的學學學學學學學學學學學學學學學學學學學學學學學學學學學學學
System	Cretaceous	<b>作品等人类的</b>	<b>北京自由政治法院社会的政治的特殊的特殊的基本的程</b>
Series	Austin and Eagle Ford		
	Groups		

# Hydrology (3.1.4)

The subject site's surface water flows in a southeasterly direction into culverts and low-lying regions of the surrounding area. Depth to shallow groundwater for the subject site is approximately 3 to 6 feet. The groundwater flow is estimated to move in a south/southeast direction.

Please see Appendix 7.2.4, EDR Radius Map, Physical Setting Source Map Findings, State Database Well Information for more information.

# Historical Use Information (3.2)

#### Prior Uses of Subject Site (3.2.1)

Review of city and county records, and historical aerial photographs indicate that the prior use of the subject site is believed to be:

 According to the EDR-City Directory the subject site was occupied by Delfasco Forge Division, an iron and steel forgings manufacturer in 1981; Land-Air, Inc., a machine manufacturer from 1967-1976; Kingdom Hall of Jehovah's Witnesses in 1956; and prior to that date the subject site was unimproved land dating back to the 1940's.

Prior Environmental Studies Summary (3.2.2) During the course of the investigation of the subject site the following prior environmental studies were available for review:

None

Please see Appendix 7.2.2, Additional Information, for more information.

#### Aerial Photographs (3.2.3)

1994 Site Direction	Description
Subject Site	Office/warehouse
North	Single-family residential
South	Vacant lot
East	Single-family residential
West	Office/warehouse

1984 Site Direction	Description
Subject Site	Office/warehouse
North	Single-family residential
South	Vacant lot
East	Single-family residential
West	Office/warehouse

1973 Site Direction	Description
Subject Site	Office/warehouse
North	Single-family residential
South	Vacant lot
East	Single-family residential
West	Office/warehouse

1958 Site Direction	Description
Subject Site	Office/warehouse
North	Single-family residential
South	Vacant lot
East	Single-family residential
West	Office/warehouse

1942 Site Direction	Description
Subject Site	Unimproved land
North	Unimproved land
South	Unimproved land
East	Unimproved land
West	Unimproved land

19 NA Site Direction	Description	
Subject Site	NA.	
North	NA	
South	NA	
East	NA	
West	NA	

EDR – Sanborn Map Report (3.2.4)

EDR - Sanborn Explanation of Sanborn Map Report

These maps were created to inform fire fighters of potential dangers based on land use and building construction. Said maps are also used for fire insurance purposes. These maps are updated on a rotating basis. The maps were inspected to determine past uses of the subject site.

Pinnacle Sciences attempted to order a Sanborn Map Report from Environmental Data Resources, Inc. and they indicated that the information was available for the subject site.

Please see Appendix 7.1.6, EDR - Sanborn Map Report for more information.

#### EDR - Sanborn Map Report

1965 Site Direction	Description
Subject Site	Office/warehouse
North	Single-family residential
South	Vacant lot
East	Single-family residential
West	Office/warehouse (Dal-Worth Tanks)

19 NA Site Direction		Description
Subject Site	NA	
North	NA	
South	NA	
East	NA	
West	NA	

19 NA Site Direction	Description
Subject Site	NA
North	NA
South	NA
East	NA
West	NA

19 NA Site Direction		Description
Subject Site	NA	
North	NA	
South	NA	<del></del>
East	NA	
West	NA	· · · · · · · · · · · · · · · · · · ·

EDR - City Directory (3.2.5) Explanation of EDR - City Directory

A City Directory is a valuable tool in determining potential pollution sources and/or sensitive receptors in area of study. Information contained in the directory includes the date of listing, street address, land use, and/or address pertaining to intersecting streets, findings, and source of information. This data can be interpreted so as to yield relevant information regarding past uses that might have affected the environmental quality of the subject site.

Pinnacle Sciences reviewed the EDR – City Directory for the subject site and noted the following listings of concern that could have an impact on the environmental quality of the subject site:

- 1956: Kingdom Hall of Jehovah's Witnesses, Subject Site
- 1967: Land-Air, Inc. (machine manufacturing), Subject Site
- 1972: Land-Air, Inc., Subject Site
- 1976: Land-Air, Inc., Subject Site
- 1981: Delfasco Forge Division, Subject Site

Please see Appendix 7.1.7, EDR - City Directory for more information.

Adjacent Sites and Area Surrounding the Subject Site (3.3)

## Adjacent Sites (3.3.1)

Current Uses of Based on our on-site investigation, reviews of local records, maps and aerial photographs, we have concluded that the current uses of adjacent sites are the following:

- North: Single-family residential
- West: Dal-Worth office/warehouse facility
- East: Single-family residential
- South: Vacant lot

#### Past Uses of **Adjacent Sites** (3.3.2)

Based on the review of local records, maps and aerial photographs, we have concluded that the past uses of the adjacent sites are the following:

- North: Single-family residential dating back to the late 1950's and prior to that date the site was unimproved land dating back to the 1940's.
- West: Office/warehouse facility dating back to the late 1950's and prior to that date the site was unimproved land dating back to the 1940's.
- East: Single-family residential dating back to the late 1950's and prior to that date the site was unimproved land dating back to the 1940's.
- South: Vacant lot dating back to the 1940's.

#### Environmental Records Review (3.4)

Mapped Database Records Search (3.4.1) Pinnacle Sciences, Inc. reviewed Federal ASTM Standard, State ASTM Standard, Federal ASTM Supplemental, State ASTM Supplemental, and EDR Proprietary Databases to determine if there were any hazardous environmental waste generators that could have a detrimental impact upon the subject property. For the subject site and adjacent sites the records revealed:

DATABASE	Radius (in Miles)	Subject Site	<1/8	1/8 1/4	1/4-1/2	1/2 - 1	>1	TOTAL
NPL and a second relation to the second	1	0	. 0 .	0	0	0	NR	00
DELISTED NPL	1	0	0	0	0	0	NR	0.000
CERCLIS	.5	0	0	0	0	NR	NR	0 2
CERC-NERAP	.25	0	0	0	NR	NR	NR	0
CORRACTS	1	0	0	0	0	1	NR	1
RCRIS-TSD	.5	0	0	0	0	NR	NR	0
RCRIS Eg. Quan Gen	.25	0	0	0	NR	NR	NR	0
RCRIS Sm. Quan Gen	.25	0	2: •	2	0	NR	NR	4
ERNS	TP	0	NR	NR	NR	NR	NR.	0
State Haz. Waste		0	0	0	0	0	NR	0
State Landfill	.5	0	0	0	0	NR	NR	0
CLISTER	.5	0	0	0	0	NR	NR	0
LUST THE RESERVE TO T	.5	0	0	1	. 4	NR	NR	5.
UST	.25	0	1	2	NR	NR	NR	3
CONSENT	1	0	0	0	0	0	NR	. 0
ROD	1	0	0 .	0	0	0	NR	0.50
FINDS	TP	0	NR	NR	NR	NR	NR	0.00
HMIRS	TP TP	0	NR	NR	NR	NR	NR	
MILTS	TP	0	NR	NR	NR	NR	NR	0
MINES	.25	0	NR	NR	NR	NR	NR	0
NPL Liens	TP	. 0	NR	NR	NR	NR	NR	0.
PADS	TP	0	NR	NR	NR	NR	NR	0 -
RAATS	TP	0	NR	NR	NR	NR	NR	64 0. Sy
TRIS	TP	0	NR	NR	NR	NR	NR	0
TSCA	TP	0	NR	NR	NR	NR	NR	0
AST	TP TP	0	NR	NR	NR	NR ·	NR	0.50
TX Spills	TP	0	NR	NR	NR	NR	NR	2.24.0
TXVCP	.5	0	0	0	1	NR	NR	1.00
TX Multimedia	.5	0	NR	NR	0	NR	NŖ	0 %
TX Ind. Haz Waste	TP.	1	0	0	NR	NR	NR	* 1. T.
Waste Mgt.	TP	0	NR	NR	NR	NR	NR	0
AIRS	TP	0	NR	NR	NR	NR	NR	0-97
Coal Gas	1	0	. 0	0	0	0	NR	0.00
TOTALS		13/1/25	.)(1) (w				Spring.	15

TP - Target Property

NR - Not Requested at this Search Distance

<sup>\* -</sup> Sites may be listed in more than one database

#### Unmapped/ Non-Geocoded (Orphan) Sites

Pinnacle Sciences reviewed the unmapped/non-geocoded sites listed and we have concluded that the unmapped/non-geocoded sites are more than a 1/8-mile from the subject site and are likely not to have an impact on the subject site.

Please see Appendix 7.2.4 - EDR Radius Map for further information

Definitions of Database Search and Search Results (3.4.1.1)

#### Federal ASTM Standard

#### NPL: National Priority List

The National Priorities List (NPL) is the EPA's database of uncontrolled or abandoned Hazardous waste sites identified for priority remedial actions under the Superfund Program. A site must meet or surpass a predetermined hazard ranking system score, be Chosen as a state's top priority site, or meet three specific criteria set jointly by the US Dept of Health and Human Services and the US EPA in order to become an NPL site.

- 0 NPL site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### Delisted NPL: NPL Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate.

- 0 Delisted NPL site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

# CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System

The CERCLIS List contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL. The information on each site includes a history of all pre-remedial, remedial, removal and community relations activities or events at the site, financial funding information for the events, and unrestricted enforcement activities.

- 0 CERCLIS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### Federal ASTM Standard, continued

# CERC-NFRAP: Comprehensive Environmental Response, Compensation, and Liability Information System

NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require Federal Superfund action or NPL consideration.

- 0 CERC-NFRAP site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### CORRACTS: Corrective Action Report

The EPA maintains this database of RCRA facilities which are undergoing "corrective Action". A "corrective action order" is issued pursuant to RCRA Section 3008 (h) when there has been a release of hazardous waste or constituents into the environment from a RCRA facility. Corrective actions may be required beyond the facility's boundary and can be required regardless of when the release occurred, even if it predates RCRA.

- 1 CORRACTS site(s) listed in the database search.
- Please see Appendix 7 2.4 EDR Radius Map for more information.

#### RCRIS-TSD: Resource Conservation and Recovery Information System

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste.

- 0 RCRIS-TSD site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### RCRIS-LQG: Resource Conservation and Recovery Information System

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA Large Generators are facilities which generate at least 1000 kg./month of non-acutely hazardous waste (or 1 kg./month of acutely hazardous waste).

- 0 RCRIS-LOG site(s) listed in the database search.
- Please see Appendix 7 2.4 EDR Radius Map for more information.

#### Federal ASTM Standard, continued

#### RCRIS-SQG: Resource Conservation and Recovery Information System

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA Small Quantity Generators are facilities which generate less than 1000 kg./month of non-acutely hazardous waste (or less than 1kg/month of acutely hazardous waste).

- 4 RCRIS-SQG site(s) listed in the database search.
- Please see section 3.4.2 Regulatory Information for more information.

#### ERNS: Emergency Response Notification System

The Emergency Response Notification System (ERNS) is a national database containing records from October 1986 to the release date above and is used to collect information for reported releases of oil and hazardous substances. The database contains information from spill reports made to federal authorities including the EPA, the US Coast Guard, the National Response Center and the Department of Transportation.

- 0 ERNS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### State ASTM Standard

#### SHWS: State Hazardous Waste Site

State Hazardous Waste Site records are the states equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds are identified along with sites where cleanup will be paid for by potentially responsible parties.

- 0 SHWS site(s) listed in the database search.
- Please see Appendix 7 2.4 EDR Radius Map for more information.

#### SWF/LF: Permitted Solid Waste Facilities

Solid Waste Facilities/Landfill Site records typically contain an inventory of solid waste disposal facilities or landfills in a particular state.

- 0 SWF/LF site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information

#### CLI: MSW Closed and Abandoned Landfills

Closed and abandoned landfills permitted as well as unauthorized across the state of Texas.

- 0 CLI: MSW site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### LUST: Leaking Petroleum Storage Tank Database

Leaking Underground Storage Tank incident reports. LUST records contain an inventory of reported leaking underground storage tank incidents.

- 5 LUST site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### UST: Petroleum Storage Tank Database

Underground storage tanks must be registered with the state department responsible for administering the UST program.

- 3 UST site(s) listed in the database search.
- Please see section 3.4.2 Regulatory Information for more information.

#### Federal ASTM Supplemental

#### CONSENT: CONSENT

Major legal settlements that establish responsibility and standards for cleanup at NPL sites.

- 0 CONSENT site(s) listed in the database search.
- Please see Appendix 7 2.4 EDR Radius Map for more information.

#### ROD: Record Of Decision

Record of Decision documents mandate a permanent remedy at a NPL site containing technical and health information to aid in the cleanup.

- 0 ROD site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

FINDS: Facility Index System/Facility Identification Initiative Program Summary Report Facility Index System contains both facility information and pointer to other sources that contain more detail.

- 0 FINDS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### HMIRS: Hazardous Materials Information Reporting System

HMIRS contains hazardous material spill incidents reported to DOT.

- 0 HMIRS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites, which process or use radioactive materials and which are subject to NRC licensing requirements.

- 0 MLTS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### MINES: Mines Master Index File

Department of Labors, Mine Safety and Health Administration Index File.

- 0 MINES site(s) listed in the database search.
- Please see Appendix 7 2.4 EDR Radius Map for more information.

#### NPL Lien: Federal Superfund Liens

Under the USEPA by CERCLA, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner receives notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

- 0 NPL LIENS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### Federal ASTM Supplemental, continued

#### PADS: PCB Activity Database System

PADS identify generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

- 0 PADS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### RAATS: RCRA Administrative Action Tracking System

RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA.

- 0 RAATS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### TRIS: Toxic Chemical Release Inventory System

TRIS identifies facilities, which release toxic chemical to the air, water and land in reportable quantities under SARA Title III section 313.

- 0 TRIS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### TSCA: Toxic Substances Control Act

TSCA identifies manufactures and importers of chemical substances included on the TSCA Chemical Substance Inventory List. It includes data on the production volume of these substances by plant site.

- 0 TSCA site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

# State or Local Supplemental

#### AST: Petroleum Storage Tank Database

Aboveground storage tanks must be registered with the state department responsible for administering the UST program.

- 0 AST site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### TX Spills: TX Spills

Spills database maintained by the Texas Natural Resource Conservation Commission.

- 0 TX Spills site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### TX VCP: TNRCC Voluntary Cleanup Program

TX VCP was established to provide administration, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas.

- 1 TX VCP site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### TX MM: Multi Media Enforcement Cases

Any enforcement case with more than one media (water, waste, etc.) violation.

- 0 TX MM site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### TX IHW: Industrial and Hazardous Waste Database

Summary reports by waste handlers, generators and shippers in Texas.

- 1 TX IHW site(s) listed in the database search.
- Please see section 3.4.2 Regulatory Information for more information.

#### WasteMgt: Commercial Hazardous & Solid Waste Management Facilities

A list containing commercial recycling facilities and facilities permitted or authorized by the TNRCC.

- 0 site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### AIRS: Aerometric Information Retrieval System Facility Subsystem

AIRS Database lists by company, along with their actual emissions, the TNRCC air accounts that emit EPA criteria pollutants.

- 0 AIRS site(s) listed in the database search.
- Please see Appendix 7.2.4 EDR Radius Map for more information.

#### EDR Proprietary Databases

Coal Gas: Former Manufactured gas (Coal Gas) Sites.

The existence and location of Coal Gas Sites.

- 0 Coal Gas site(s) listed in the database search.
- Please see Appendix 7 2.4 EDR Radius Map for more information.

#### Regulatory Agency Information (3.4.2)

The subject site is located in an area where hazardous environmental waste generators could exist. The following is a list of environmental generators discovered during the course of the investigation of the subject site:

Ind. Haz. Waste:

Del Fasco Forge Division 114 NE 28<sup>th</sup> St. (Subject Site)

Site Primary Standard Industrial Code: Iron and steel forgings manufacturing Type of Generator: Small Quantity Generator

Based on the above referenced regulatory database status information for the above referenced site; we have concluded that the above referenced site has a possibility of impacting the subject site at this time.

UST:

H&M Truck Equip, Inc.

228 SE 28th St.

UST's: One (1) of unknown size

UST Status: Removed from the ground

Based on the above referenced regulatory database status information for the above referenced site; we have concluded that the above referenced site is not likely to impact the subject site at this time.

RCRIS-SQG, FINDS:

American Body Equipment Co.

233 SE 28th St.

Classification: Small Quantity Generator

Violation Status: Violations exist

Priority of Violation: Low

Based on the above referenced regulatory database status information for the above referenced site; we have concluded that the above referenced site has a low to moderate possibility of impacting the subject site at this time.

1

RCRIS-SQG, FINDS, Ind. Haz. Waste: 113 NE 29<sup>th</sup> St.

Classification: Small Quantity Generator, Hazardous Waste Transporter

Violation Status: Violations exist

Priority of Violation: Low

Based on the above referenced regulatory database status information for the above referenced site; we have concluded that the above referenced site has a low to moderate possibility of impacting the subject site at this time.

The following environmental generators identified in the regulatory database search are greater than 1/8-mile away from the subject site and are not likely to impact the subject site at this time:

- \*RCRIS-SQG, FINDS: Auto Marketings, Inc, 2717 E. Main St.
- \*UST: Grady Gibson, 2701 E. Main
- \*UST, LUST: RB Camp Erection Service, Inc., 2618 Central St.
- \*RCRIS-SQG, FINDS, Ind. Haz. Waste: Spacer Service, 126 NE 26<sup>th</sup> St.
- \*UST, LUST: Gilbert Scott, 3218 E. Main
- \*UST, LUST: Allbritton Trust, 3223 E. Main
- \*UST, LUST: Godofredo Calvo, 2514 E. Main
- \*RCRIS-SQG, FINDS, TX VCP, Ind. Haz. Waste: Kayco, Inc., 205 N. Bagdad St.
- \*UST, LUST: Texas Plywood, 242 S. Bagdad
- \*CERCLIS, FINDS, RCRIS-LQG, RCRIS-TSD, CORRACTS: US NAS Dallas, Jefferson Ave.

Please see Appendix 7.2.4 EDR Radius Map for more information.

# Introduction William Fields completed the inspection of the subject site on April 15, 2002 under clear skies. The inspector visually inspected the subject site to evaluate the environmental condition of the subject site. The inspector was not accompanied at the time of inspection. General **Subject Site** Characteristics (4.1)At the time of inspection, Zero (0) waste containers were observed that were Solid Waste **Disposal** (4.1.1) used for disposal of debris and trash. Sewage The subject site had no visible signs of a septic system at the time of Discharge & inspection. **Disposal** (4.1.2) The subject site sewage disposal is maintained by the City of Grand Prairie, Texas. Surface Water At the time of inspection, surface water appears to drain to the storm drain **Drainage (4.1.3)** located on the east site of the main warehouse facility. No visible staining and/or particulate buildup was noted.

Wells and Cisterns (4.1.4)	Review of government documents and a visual inspection of the subject site indicate that the following wells and/or cisterns exist on the subject site at the time of inspection.  None
Wastewater (4.1.5)	At the time of inspection the subject site was not producing any wastewater that requires treatment and/or disposal.
Environmental Hazards (4.2)	
Hazardous Substances & Petroleum Products Used On-Site (4.2.1)	At the time of inspection, the following hazardous substances and/or petroleum products were observed on the subject site:  None
Labeled Containers and Drums (4.2.1.1)	At the time of inspection, the following labeled containers and/or drums were observed on the subject site:  None

#### Unlabeled Containers and Drums (4.2.1.2)

At the time of inspection, the following unlabeled containers and/or drums were observed on the subject site:

None

#### Disposal Location of Regulated/ Hazardous Waste (4.2.1.3)

At the time of inspection, the following regulated hazardous waste was observed on the subject site:

Interviews with Jim Smith and Graig Shaffer, representatives of the previous tenant of the subject site, informed us that the disposal of all hazardous waste was maintained by Saftey-Kleen of Dallas, Texas. Waste scrap metal disposal was maintained by Yonick Iron works of Dallas, Texas.

#### Evidence of **Releases (4.2.2)**

At the time of inspection, the following evidence of a release of hazardous substances were observed on the subject site:

Within the warehouse area of the subject site visible signs of staining and/or metal particulate buildup was noted.

# **Biphenyls** (PCB's) (4.2.3)

Polychlorinated Utility companies often own transformer equipment and typically assume the responsibility for repair and/or replacement of damaged and/or leaking units and for required cleanup and/or remediation activities.

> At the time of inspection, the following power transformers were observed on the subject site:

- Located within the main warehouse facility two (2) ground mounted power transformers were observed. The transformers appeared to be in good condition with no visible signs of staining and/or leakage.
- Located on the west side of the subject site property line three (3) pole mounted power transformers were observed. The transformers appeared to be in good condition with no visible signs of staining and/or leakage.

Asbestos Containing Materials (ACM) (4.2.4) Within the main warehouse facility suspect ACM was observed, i.e. duct work insulation, floor tile, and spray-on thermal insulation; but without an Asbestos Survey, utilizing physical sampling of suspected ACM in accordance with AHERA protocol and Texas Department of Health regulations; Pinnacle does not warrant or guarantee that ACM does not exist on the subject site.

# Radon Gas (4.2.5)

Radon is a naturally occurring radioactive gas which cannot be seen, smelled, or tasted and evolves from the radioactive decay of uranium, granite, shale, phosphate, and pitchblende.

According to the <u>Texas Indoor Radon Survey of 1992</u>, prepared by the Bureau of Radiation Control, four areas in Texas have geologic conditions supportive of elevated radon potential: the High Plains, the Big Bend area, the Llano Uplift in Central Texas, and several other counties in Southeast Texas overlying tertiary sands in the vicinity of some commercial mining facilities.

Please see Appendix 7.2.3, Radon Study for more information regarding the subject site.

#### Landfills (4.2.8)

Review of Local, State, and Federal databases reveal that there are zero (0) registered landfills within a 1/8 mile radius. The information also revealed that the subject site had not been previously used as a landfill. Additionally, Pinnacle Sciences did not observe anything on the subject site that would indicate the site is currently being used as a landfill.

#### Pits, Sumps, Drywells and Catch Basins (4.2.9)

At the time of inspection, the following pits, sumps, wells, and/or catch basins were observed on the subject site:

Located on the east side of the main warehouse facility, the subject site
has one (1) storm drain unit. No staining and/or particulate buildup was
noted.

#### On-Site Above Ground and Underground Storage Tanks (4.2.10)

At the time of inspection, the following on-site above ground and underground storage tanks were observed on the subject site:

None

#### Radiological Hazards (4.2.11)

At the time of inspection, the following radiological hazards were observed on the subject site:

None

#### Additional Observations (4.2.12)

At the time of inspection, the following additional observations were made on the subject site:

• Located throughout the main warehouse facility staining was observed on the warehouse floor.

Interviews (4.3)

Interview 1 (4.3.1)

Date of Interview	April 18, 2002
Subject Person	Chris Vainery
Summary	Mr. Vainery stated that the subject site was listed with the TNRCC as a small quantity generator of hazardous waste. Mr. Vainery stated that the TNRCC Region 4 office has no records concerning the subject site.

# Interview 2 (4.3.2)

Date of Interview	April 22, 2002
Subject Person	Jim Smith; Del Fasco Forge
Summary	Mr. Smith stated that the subject site had been a metal working facility since the 1950's. Mr. Smith stated that the subject sites waste disposal for hazardous waste was maintained by Saftey-Kleen and that the scrap metal disposal was maintained by Yonick Iron works.

Please see Appendix 7.1.8, Records of Communication for more information.

#### Additional Services (4.4)

the time of inspection Pinnacle Sciences did not perform any additional service on the subject site.

Please see Appendix 7.2.6, Additional Services for more information.

### Summary and Recommendations (5.0)

Findings and Conclusions (5.1)

#### On-Site Environmental Concerns (5.1.1)

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-00 on 10,000sf Office/Warehouse Facility located at 114 NE 28th Street, Grand Prairie, Texas 75050. After review of the federal, state and local documentation; historical information pertaining to the subject site and our on-site investigation, we have concluded that this assessment has revealed no obvious evidence of recognized environmental conditions in connection with the subject site except for the following:

- The subject site operated as a metal works facility dating back to the 1950's. Visible staining was observed within the subject site warehouse at the time of the on-site inspection.
- Due to the age of the facility, it's previous use a metal works facility, and the visible staining observed throughout the subject site, a concern about the environmental condition of the subject site is warranted.

#### Off-Site Environmental Concerns (5.1.2)

The following off-site environmental concern was identified at the time of inspection of the subject site:

None

# Previously Resolved Environmental Concerns (5.1.3)

The following historically recognized environmental concerns were identified:

• None

### Summary and Recommendations (5.0), Continued

Recommendations (5.2)

#### Recommendations for Further Investigation (5.2.1)

The following additional activities are recommended at this time to further investigate the subject site:

- Due to the prior usage of the subject site as a metal works facility dating back to the 1950's and visible staining that was observed within the subject site warehouse, the environmental condition of the subject site is of concern.
- Further investigation into the possible release of metals into the environment of the subject site should be undertaken.
- Prior to any renovation and/or demolition of the subject site an Asbestos Survey, utilizing physical sampling of suspected ACM in accordance with AHERA protocol and Texas Department of Health regulation is required.

Recommendations for Any Other Action (5.2.2) The following actions are recommended at this time for the subject site:

None. No further action is required at this time.

### **Consultant Information (6.0)**

Project Personnel (6.1) William R. Fields

1) Vice President of Field Operations

Certification and Licensing (6.2)

In accordance with the state of Texas, Pinnacle Sciences, Inc. is licensed to perform Asbestos Containing Building Material Surveys.

Report Reliance (6.3) This assessment was performed at "Client's" request utilizing methods and procedures consistent with good commercial or customary practices designed to conform with acceptable industry standards. This report may be distributed to and relied upon by "Client", its successors and assigns, and Conduit to be named by "Client", its successors and assigns with respect to a loan upon the Project, together with any rating agency or any issuer or purchaser of any security collateralized or otherwise backed by such loan. The independent conclusions represent Pinnacle Sciences, Inc.'s best professional judgment based on the conditions that existed and the information and data available to us during the course of this assignment. Factual information regarding operations, conditions, and best data provided by "Client", owner, or their representative have been assumed to be correct and complete.

William R. Fields, Vice President of Operations

# Appendices (7.0)

Section	Sub-section		Title
7.1	APPENDICES:	7.1.1	Subject Site Photographs
	Subject Site Background	7.1.2	Historic Aerial Photo Search
	Information	7.1.3	Subject Site Drawings
		7.1.4	Area Maps
		7.1.5	USGS 7.5 Minute Topographical Map
		7.1.6	EDR – Sanborn Map Report
		7.1.7	EDR – City Directory
		7.1.8	Records of Communication
7.2	APPENDICES:	7.2.1	Regulatory Agency Records
	Governmental Agency	7.2.2	Additional Information
	Records	7.2.3	Radon Study
		7.2.4	EDR – Radius Map
		7.2.5	Certification & Limiting Condition
		7.2.6	Additional Services

7.1 Subject Site Background Information

7.1.1 Subject Site Photographs

7.1.2 Historic Aerial Photo Search

7.1.3 Subject Site Drawings

## Pinnacle Sciences, Inc.

"Experienced Environmental Solutions"

During the course of this environmental assessment, subject site drawings were not available for review.

7.1.4 Area Maps

7.1.5 USGS 7.5 Minute Topographical Map

7.1.6 EDR – Sanborn Map Report

## Pinnacle Sciences, Inc.

"Experienced Environmental Solutions"

During the course of this environmental assessment we attempted to order a Sanborn Map Report from Environmental Data Resources, Inc. and they indicated that the information for the subject site is not available.

7.1.7 EDR – City Directory

# Pinnacle Sciences, Inc.

"Experienced Environmental Solutions"

During the course of this environmental assessment we attempted to order a City Directory from Environmental Data Resources, Inc. and they indicated that the information for the subject site is not available.

7.1.8 Records of Communication

7.2 Governmental Agency Records

7.2.1 Regulatory Agency Records

### Pinnacle Sciences, Inc.,

"Experienced Environmental Solutions"

During the course of this environmental assessment, Regulatory Agency Records concerning the subject site were not available for review

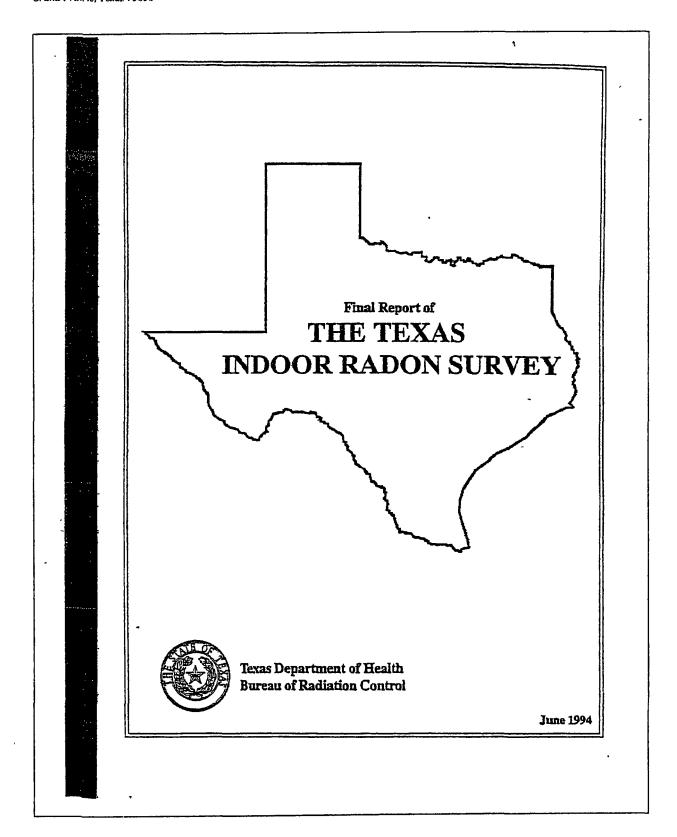
7.2.2 Additional Information

# Pinnacle Sciences, Inc.

"Experienced Environmental Solutions"

During the course of this environmental assessment, no additional information concerning the subject site was available for review.

7.2.3 Radon Study



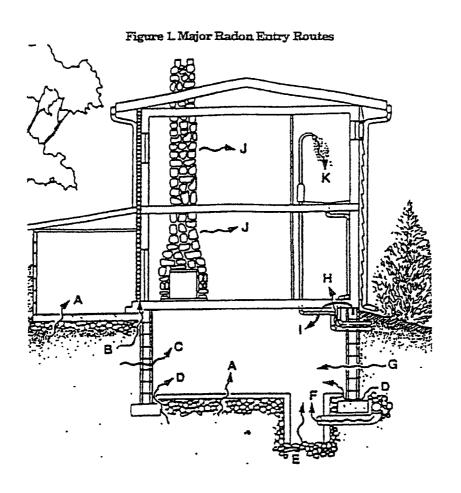
#### Summary

Exposure to elevated levels of indoor radon in residential structures has been suggested by many researchers to pose a public health risk and be related to a potential increase in the incidence of lung cancer. To thoroughly examine this issue, the Texas Department of Health commissioned a statewide survey of indoor residential radon to determine the extent of the problem in Texas, and to identify potential "hot spots." It should be kept in mind that cigarette smoking is, by far, the greatest cause of lung cancer, but exposure to elevated levels of indoor radon may represent the second leading risk factor for lung cancer, especially for nonsmokers.

This final report contains a compilation of the Winter 1991 data and all the indoor radon data collected prior to and after the survey months of January, February, and March 1991. Texas homes, when viewed on a statewide basis, have a relatively low level of radon, averaging 1.0 pCi/l (pico curies per liter) of air. Such levels are not a major public health concern, as it would be extremely costly and difficult for homeowners to achieve lower average residential levels on a statewide basis. This Texas average is within the national norms, where U.S. homes have been reported to have average indoor radon levels between 1.0 and 2.0 pCi/l of air.

However, when examined on a regional basis, several areas of Texas are identified where local geology is suspected of contributing to the potential for elevated levels of indoor radon. The Panhandle area of Texas, especially those counties clustered in a band through its center, is shown to have the highest potential for indoor radon. This area of the state is the only area to report any sizable number of homes with radon over 20 pCi/l of air. Correspondingly, it's also the area of the state with the greatest number of homes measuring over 4 pCi/l of air. Four pCi/l is the threshold of concern according to EPA guidelines. Other areas of the state with a potential (based on geology) for elevated radon levels include the Big Bend area (also based on survey results), Llano Uplift, and the uranium mining areas in South Texas.

Since indoor radon in Texas is a localized problem, efforts to educate citizens about the potential dangers of radon can be focused most effectively in those counties with elevated radon potential. For the most part, the areas of Texas where radon levels are highest are also areas of lower population density, minimizing the public health risk and maximizing the chance of finding and correcting any threats to the public health.



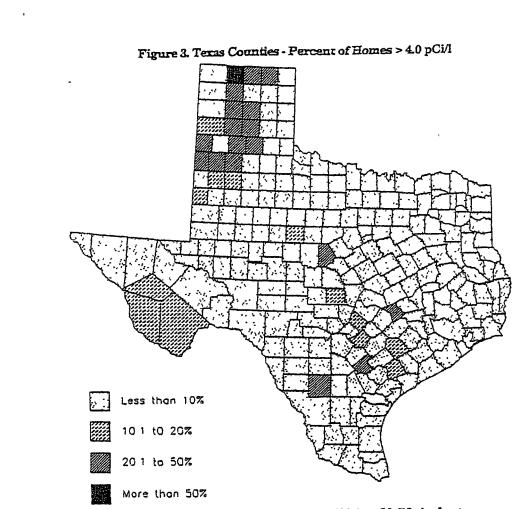
Major Radon Entry Routes

- A. Cracks in concrete slabs
- B. Spaces behind brick veneer walls C. Pores and cracks in concrete blocks
- D. Floor-wall joints
- E. Exposed soil, as in a sump F. Weeping (drain) tile

Source: EPA, 1987b

- G. Mortar joints
- H. Loose fitting pipe penetrations L Open tops of block walls
- J. Building materials such as rock
- K. Water (from some wells)

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\* The Panhandle county of Briscoe is shaded as "20.1 to 50 %" similar to neighboring counties.

supportive of radon production.

Other counties showing elevated potential for indoor radon have only a few measurements, but are reported here since they have surface and subsurface geology which could

provide a source for radon, and there is the likelihood that some homes in these counties have elevated radon levels. Because of these geological sources and the likelihood that some homes in these counties have elevated radon levels, the counties are shown on the map. 7.2.4 EDR – Radius Map

7.2.5 Limiting Conditions & Certification

LIMITING CONDITIONS: The certification of Pinnacle Sciences appearing in the environmental inspection report is subject to the following conditions and to such other specific limiting conditions as are set forth by Pinnacle Sciences and/or the Inspector in the report.

- 1) Pinnacle Sciences assumes no responsibility for matter of a legal nature affecting the property inspected or the title thereto. The property is inspected assuming responsible ownership.
- 2) Any sketch appearing in or attached to the inspection report, or any statement of dimensions, capacities, quantities, distances, or property ownership history, are approximate and are included to assist the reader in visualizing the property. The Pinnacle Sciences has made no survey of the property.
- 3) Pinnacle Sciences and/or their Inspector is not required to give testimony or appear in court because of having made the inspection with reference property in question, unless arrangements have been previously made therefore.
- 4) Pinnacle Sciences, Inc. it's agents, employees, officers, and/or owners shall be held harmless from any liability, including attorney fees, and/or legal responsibility and/or involvement related to any suits, encumbrances, disputes or legal actions associated with the inspection of the property and/or the inspection report.
- 5) This report is not intended to have any direct effect on the value of the property inspected but simply provide a visual Environmental Assessment solely for the benefit of the Principal Parties.
- 6) Pinnacle Sciences assumes that there are no hidden, unapparent, or latent conditions or defects in or of the property, subsoil, or structures other than those noted on the inspection report or any addendum to the report, which the Inspector has included. Pinnacle Sciences assumes no responsibility for such conditions, or for the inspection, engineering or repair, which might be required to discover or correct such factors.
- 7) Information, estimates and opinions furnished to Pinnacle Sciences, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, Pinnacle Sciences has made no independent investigation as to such matters and undertakes no responsibility for the accuracy of such items.
- 8) Review of the following informational resources and subsequent documentation/reference and/or omission in the body of the inspection report; is utilized to reveal any recognized environmental conditions in connection with the subject property and is made when the information is applicable, available, reasonably ascertainable, and at the discretion of the inspector: state, local, and federal documents, radius of 1 mile around the subject property using federal and state databases, interview owners, owner's agents, tenants, state and federal government officials, ownership history, historical maps, aerial photographs, city directories, tax and zoning data, USGS 7.5 minute topographical maps, material safety data sheets (MSDS), flood plain maps, and other sources.

- 9) The Inspection and Inspection Report are made by Pinnacle Sciences solely for the benefit and personal use of the "Client". No disclosure may be made of the Inspection Report without the prior written consent of Pinnacle Sciences.
- 10) Neither the Inspection Report, any part thereof, nor any copy of the same (including conclusions or recommendations, the identity of the Inspector, professional designation, reference to any professional organization, or the firm with which the Inspector is connected) shall be used for any purposes by anyone but the "Client". The report shall not be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the prior written consent and approval of the Inspector.

**CERTIFICATION:** Pinnacle Sciences certifies to the "Client" in a transaction as named in the inspection report "Client", and Pinnacle Sciences and the "Client" agree that:

- 1) Pinnacle Sciences has no present or contemplated future (a) partnership with Principal Parties nor (b) an interest in the property inspected which could adversely affect the Inspectors ability to perform an objective inspection; and neither the employment of Pinnacle Sciences to conduct the inspection, nor the compensation for it, is contingent upon the results of the inspection.
- 2) Pinnacle Sciences has no personal interest in or bias with respect to the subject matter of the inspection report or any parties who may be part of a financial transaction involving the property. The conclusions and recommendations of the report are not based in whole or in part upon the race, color, creed, sex, or national origin of any of the Principal Parties.
- 3) Pinnacle Sciences Inspector has personally inspected the property and has made visual inspection of adjacent properties, to the extent possible by readily available access. The inspection does not include the removal of any soil, water or air samples, verification of water/sewer and/or electrical systems, the moving of furniture or fixtures, entry into confined spaces and/or restricted areas, or any type of inspection that would require extraordinary effort to access.
- 4) All Contingent and limiting conditions are contained herein (imposed by the terms of the inspection assignment or by the undersigned affecting the conclusions and recommendations contained in the report).
- 5) This Environmental Inspection report has been made in conformity with scope and limitations as set forth in the section titled Scope of Work and/or Letter of Engagement in the inspection report and at the discretion of the inspector to utilize the scope and limitations of ASTM practice E1527-00, Phase I Site Assessment Process and/or ASTM E1903-97, Phase II Site Assessment Process and/or ASTM practice E1528-00, Transaction Screen Questionnaire.
- 6) All opinions, conclusions and recommendations concerning the inspected property that are set forth in the inspection report were prepared by Pinnacle Science's Environmental Inspector whose signature appears on the report. No change of any item in the report shall be made by anyone other than Pinnacle Sciences and/or their Inspector, and Pinnacle Sciences and/or their Inspector shall have no responsibility for any such unauthorized change.

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7.2.6 Additional Services